

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6625 of 2017

Arising Out of PS.Case No. -94 Year- 2012 Thana -BATHNAHA District- SITAMARHI

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Deepak Kumar @ Lakhan @ Deepak Son of late Ashok Prasad Sinha
Resident of Mohalla- Krishna Nagar, Ward No. 2, P.S and District-
Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Bimal Kumar, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 08-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 01.08.2016 in
connection with Bathnaha P.S. Case No. 94 of 2012 for the alleged
offences under Sections 302, 120B/34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely
implicated only on the confessional statement of co-accused Mohan
Baitha who has since been granted bail by this Court. Except such
confessional statement, there is no other material to connect the
petitioner with the offence alleged and the petitioner is not named
in the FIR.

4. Having regard to the entirety of the facts and



circumstances of the case as well as the period of custody since 01.08.2016 already suffered, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Bathnaha P.S. Case No. 94 of 2012 on the following conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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